

REMARKS/ARGUMENTS

Claims 1, 2, 5, 11, and 44 have been amended to improve antecedent basis. No new matter has been added.

The Office Action mailed June 15, 2005, has been received and reviewed. Claims 1-13 and 43-48 are currently pending in the application. Claims 1-13 and 43-48 stand rejected. Applicants have amended claims 1, 2, 5, 11, and 44, and respectfully request reconsideration of the application as amended herein.

Double Patenting Rejection Based on U.S. Patent Application Serial No. 09/831,411

Claims 1-13 and 43-48 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-4, 6, 7, 9, 11, 13-22, 24, 25, 27, and 29-33 of the U.S. Patent issuing from U.S. Patent Application Serial No. 09/831,411. In order to avoid further expenses and time delay, Applicants elect to expedite the prosecution of the present application by filing a terminal disclaimer to obviate the double patenting rejections in compliance with 37 CFR §§ 1.321 (b) and (c). Applicants' filing of the terminal disclaimer should not be construed as acquiescence to the Examiner's double patenting or obviousness-type double patenting rejections. Attached are the terminal disclaimer and accompanying fee.

ENTRY OF AMENDMENTS

The amendments to claims 1, 2, 5, 11, and 44 should be entered by the Examiner because the amendments are supported by the as-filed specification and drawings and do not add new matter to the application.

CONCLUSION

Claims 1-13 and 43-48 are believed to be in condition for allowance and an early notice thereof is respectfully solicited. Should the Examiner determine that additional issues remain that might be resolved by a telephone conference, he is respectfully invited to contact Applicants' undersigned attorney.

Respectfully submitted,

A handwritten signature in black ink that reads "Katherine A. Hamer". The signature is written in a cursive, flowing style.

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